

# ETUC resolution on nanotechnologies and nanomaterials

## Final NanoCap Conference

Brussels, 2 April 2009

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# ETUC



ETUC is the European social partner representing workers. The Treaty of Maastricht (1992) guarantees this formal status.

Together with the employers, it is involved in consultation in areas such as employment, social affairs, macroeconomics, industrial and regional policy.

**82** member organisations

**36** European countries

**12** industry federations

**60** million workers



# Preamble



The ETUC is convinced that nanotechnologies and manufactured nanomaterials might have considerable development and application potential.

- ✓ Technological improvements
- ✓ New jobs

Concerns about potential risks to human health & environment.

**Health & Safety at work must be a priority**

# ETUC Contribution



- Members of the ETUC came together in a WG Nano and prepared a European Trade Union position .
- Resolution adopted by the ETUC's Executive committee in June 2008. It's the common position of all the trade unions in Europe. The ETUC represents 60 million workers.
- The contribution of the ETUC, its member federations and confederations is to point out essential elements of the European policy for a responsible and sustainable development of nanotechnologies.
- The ETUC Resolution is also a contribution to the EC Action Plan on Nanotechnologies and Nanosciences 2005/2009, which calls for a risk assessment on health, environment, consumers & workers.

# ETUC Resolution



*The regulatory challenge is to ensure that society can benefit from novel applications of nanotechnology, whilst a high level of protection of health, safety and the environment is maintained.*  
(EC: COM 2008.366)

The ETUC Resolution addresses the following issues:

- Marketing
- Workers Protection
- R&D
- Terminology
- Legislative framework in the EU
- Consumers protection
- Precautionary Principle & application

# Marketing



REACH's "No data = No market" must apply: (Art. 5 REACH)

Nanometre forms of chemicals should not be allowed on the market unless, sufficient data are supplied by manufacturers to show there are no harmful effects for human health and the environment;

Registration procedure in REACH: (Art. 6, 7 ...REACH)

Must be modified in order to cover all nanomaterials, including those produced or imported in quantities below 1 tonne per year;

Chemical Safety Report: (Art. 14, Annex I REACH)

Chemical safety assessment must be done for all REACH-registered substances for which a nanometre scale use has been identified.

**Communication & Implementation of  
risk management measures for  
human health & environment**

# Workers Protection



- Risk assessment: Involve workers and/or their representatives in the assessment and reduction of nanomaterial-related risks;
- Risk reduction: Amend Chemical Agents Directive 98/24/EC, to require employers to implement risk reduction measures when the dangers of substances used are still unknown;
- Safety Data Sheets (Art. 31 REACH): Improve workers' information about nanomaterials that may be present in products to which they are exposed: Safety data sheets must state whether nanomaterials are present;
- Exposure controls: Provide training and health surveillance for workers exposed to nanomaterials.

# R&D



- Increase budget for H&E aspects:

Imbalance between budgets for the development of commercial applications and those for research into the potential impacts on human health and the environment:

To allocate at least 15% of public research budgets on nanotechnologies for health and environmental aspects;

- H&S Reporting: To require all research projects to include H&S issues as a compulsory part of their reporting.

**Make health and safety at work issues a compulsory part of all research projects**

# Terminology



- A standardised terminology for nanomaterials is urgently needed to prepare meaningful regulatory programmes.
- ETUC calls on the EU Commission to adopt a definition of nanomaterials which is not restricted to objects below 100 nanometers in one or more dimensions.

To avoid nanomaterials already on the market be out of the scope of future legislation

# Legislative Framework



- ETUC's examination of the current legislative framework has identified several loopholes. Some regulatory changes are needed.
- Amend Chemical Agent Directive & REACH for a better coverage to all potentially manufactured nanomaterials; (below 1Ton/year, Chemical Safety Report)

Precautionary approach: Meaning that the exposure should be avoided as much as possible. These substances must be considered as very hazardous chemicals.

- Voluntary initiatives & codes of practices are useful if some conditions are met, but nanotechnologies need proper legislation.

**To avoid risks, avoid exposure**

# Consumers & Products



- Label: Right to know what's in a product. ETUC wants all consumer products containing manufactured nanoparticles which could be released under reasonable and foreseeable conditions of use or disposal to be labelled.
- National Register: ETUC calls on Member states authorities to set up a national register on the production, import and use of nanomaterials and nano-based products.

**Easy to identify where responsibility  
lays for any harmful effect**

# Precautionary Principle



Priority Principle in REACH

Preventive actions must be taken where uncertainty prevails & given the deficit of knowledge.



**This means that precautionary principle must be applied**

This is the essential prerequisite for the responsible development of nanotechnologies and for helping ensure society's acceptance of nanomaterials.

# Factual application of the PP



Shifting the burden of the proof to the proponent of the substance to demonstrate its safety.

This prevents damage while new information accumulates.

Examples of the application of the PP can be found in the ETUC Resolution in 2 areas, concerning:

- **The process of Registration of a Substance in REACH**
- **The implementation of Risk assessment for all nanomaterials**

## Benefit from nanotechnologies while preventing a nano-disaster



*“After the asbestos scandal, the ETUC finds it unacceptable that products should now be manufactured without their potential effects on human health and the environment being known unless a precautionary approach has been applied and made transparent to the workers”.*

**Thank You**



The voice  
of workers  
in Europe